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4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA

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7 KAIRE POOLE,

8 Plaintiff,

9 v.

10 MERRICK B. GARLAND,

11 Defendant.

12 Case No. 20-cv-09379-PJH

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14 **ORDER**

15 Re: Dkt. No. 15

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17 Before the court is defendants' motion to dismiss plaintiff's complaint. Dkt. 15.
18 Plaintiff filed a first amended complaint in response to the motion to dismiss. Defendants
19 acknowledged the amendment in a "reply" brief and noted that the amendment mooted
20 their motion to dismiss. Accordingly, defendants' motion is TERMINATED, and the
hearing set for May 13, 2021, is accordingly VACATED. The remaining defendant may of
course file a new motion to dismiss or other response to plaintiff's first amended
complaint.

21 **IT IS SO ORDERED.**

22 Dated: April 30, 2021

23 /s/ Phyllis J. Hamilton

24 PHYLLIS J. HAMILTON
United States District Judge

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